

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

JOHN A. MATTINGLY, JR.,

Plaintiff,

v.

RICHARD D. FRITZ, ET AL.,

Defendants.

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* Case No.: RWT 09cv2917
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ORDER

Upon consideration of Plaintiff's Motion for a Preliminary Injunction [Paper No. 29], State Defendants' Motion To Dismiss First Amended Complaint [Paper No. 10], Defendant Board of County Commissioners for St. Mary's County, Maryland's Motion To Dismiss First Amended Complaint [Paper No. 20], State Defendants' Motion To Strike Paragraphs 27–31 of the First Amended Complaint and Exhibits 1 and 2 of Plaintiff's Opposition to Defendants' Motion To Dismiss [Paper No. 18], and Defendant Board of County Commissioners for St. Mary's County, Maryland's Motion for Separate Trial (Bifurcation) and Stay of Discovery [Paper No. 21], the opposition and replies thereto, the argument of counsel, and for the reasons stated on the record on February 19, 2010, it is on this 22nd day of February, 2010, by the United States District Court for the District of Maryland, hereby

ORDERED, that the Plaintiff's Motion for a Preliminary Injunction [Paper No. 29] is **DENIED**, and it is further

ORDERED, that State Defendants' Motion To Dismiss First Amended Complaint [Paper No. 10] is **GRANTED**, and it is further

ORDERED, that Defendant Board of County Commissioners for St. Mary's County, Maryland's Motion To Dismiss First Amended Complaint [Paper No. 20] is **GRANTED**, and it is further

ORDERED, that the First Amended Complaint is **DISMISSED WITH PREJUDICE**, and it is further

ORDERED, that State Defendants' Motion To Strike Paragraphs 27–31 of the First Amended Complaint and Exhibits 1 and 2 of Plaintiff's Opposition to Defendants' Motion To Dismiss [Paper No. 18] is **DENIED AS MOOT**, and it is further

ORDERED, that Defendant Board of County Commissioners for St. Mary's County, Maryland's Motion for Separate Trial (Bifurcation) and Stay of Discovery [Paper No. 21] is **DENIED AS MOOT**, and it is further

ORDERED, that judgment for costs be entered in favor of Defendants, and it is further

ORDERED, that the Clerk of the Court close this case.

/s/
ROGER W. TITUS
UNITED STATES DISTRICT JUDGE